

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
April 18, 2005

PRESENT: LAURA BUONO CHAIRMAN; LEON METHOT, CO-CHAIRMAN; HELEEN KURK, SELECTMAN; DONNA M. OSBORNE, SELECTMAN; JOSEPH M. FIALA, SELECTMAN

TOWN ADMINISTRATOR: ROBERT CHRISTENSEN

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Chief Gregory Begin, George Malette, Lisa Wetherbee, Carl Knapp, Dot O'Neil, Mark Bodanza, James Carney, Kenneth A. Cox, Jim Blouin, Robert J. Peterson, Frank Campana, Brian McDonald, Tom Reynolds, Bob Thomas Chuck Metcalf, Ginger Esenwine, Forrest Esenwine, Jonathon Wallace, Walter Bohlin

6:35 p.m. Chairman Laura Buono called the meeting to order.

1. PUBLIC PARTICIPATION – Mr. George Malette spoke in regards to the Boards last meeting communication. Mr. Malette requested that all Boards record their minutes and make them available on the website.

Mr. Malette asked for the Board's approval to appoint him to the Planning Board.

Mrs. Lisa Wetherbee presented the final playground invoice to the Board. Mrs. Wetherbee informed the Board that the playground equipment is in transit and should arrive on May 19th with a full build data scheduled for May 21st. It was discussed that all volunteers must sign the insurance sheet and no individual under 18 years of age should operate a power tool.

2. DEPARTMENT HEAD – Mr. Carl Knapp discussed with the Board the new replacement truck. Mr. Knapp explained why he didn't go with the lowest bid for the truck and went on to say that the difference between the lowest bid and the one he is recommending is \$1,400. Mr. Knapp feels that the vehicle he is recommending is a much better buy and will be more beneficial to the town.

Chairman Buono moved, Co-Chairman Methot seconded to purchase the new truck through Liberty Chevrolet for \$30,464. Passed 5-0-0.

Chairman Buono moved, Co-Chairman Methot seconded to award the Crushing Contract to Ivan Martin at \$2.45 per ton. Passed 5-0-0.

Chairman Buono moved, Selectman Kurk seconded to award the Paving Contract to Pike Industries at \$32.68 per ton. Passed 5-0-0.

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Chairman Buono moved, Selectman Kurk seconded to award the Reclaiming Contract to Pike Industries at \$.64 per square yard. Passed 5-0-0.

Chief Begin informed the Board that he has been using his personal vehicle for police business and this will be expensive for the town. Chief Begin stated that he has been researching vehicles in the surrounding area and searching the internet for vehicles, in doing so he found a 2001 Mercury Sable for \$8,988 which he talked them down to \$7,188. The vehicle could be purchased with a 3 year extended warranty/100,000 miles bringing the total purchase price to \$10,000. It was discussed that Deputy Chief Quigley has a police vehicle in his possession at all times and Chief Begin feels that it is wise for him to keep the vehicle to drive back and forth to his home in Brookline in case of after hour emergency.

Chairman Buono asked the Board if they feel comfortable with moving forward with purchasing the vehicle. Chief Begin would like to condense some of his lines in his budget for next year. Selectman Osborne questioned Chief Begin on Deputy Quigley being allowed to take the town vehicle home instead of it being with the Chief to respond to after hour emergencies. Chief Begin stated that he feels that it was an added benefit given to Deputy Quigley. Chairman Buono stated that it is up to Chief Begin to decide who has possession of police vehicles.

Chief Begin distributed a letter to each member of the Board from a citizen in town thanking Deputy Chief Quigley for his professionalism and willingness to help.

Chief Begin distributed a letter to each member of the Board from Justice Paul H. Lawrence is regards to the excellent job Officer Louis Chatel, Jr. is doing as a prosecutor in his Court.

Chief Begin distributed a letter to each member of the Board in regards to Officer Chad Clark completing the classroom portion of his DRE training with a score of 97%.

Mr. Chuck Metcalf requested funds from CIP to expend on Purington Field for hydro seeding. Mr. Metcalf informed the Board that WAC would like to split the cost of \$700 and use \$350 from the CIP. Selectman Kurk asked Mr. Metcalf if this was planned to come out of the CIP and Mr. Metcalf stated that this is part of the improvement plan. Mr. Metcalf stated that in the big picture of things it is a very small request but this really needs to be done. Selectman Fiala asked if there are any preparations that need to be made before they hydro seed? Mr. Jim Blouin stated that he prepared the ground by putting done fertilizer.

Mr. Metcalf brought fourth an application for Brian McDonald to join PARC. Mr. Metcalf stated that Mr. McDonald is currently serving as the President of WAC and that many volunteers wear dual hats. The PARC sees Mr. McDonald's involvement with PARC as a positive move to help WAC and PARC work together. Selectman Kurk supports WAC and its growth with the town but feels that Mr. McDonald's involvement with PARC would be conflicting and she stands on her position. Co-Chairman Methot said that years ago he suggested that someone from WAC become a member of PARC to help mend fences. Selectman Fiala feels that he somewhat agrees with Selectman Kurk but feels that this would be a good start to merge the two groups together. Selectman Osborne questioned Mr. McDonald about the possibility of being restricted to vote on certain matters because of ethical means. Mr. McDonald stated that his is not opposed to any restrictions that the BOS will impose on him. Selectman Kurk asked why not a liaison position. Mr. McDonald stated that he would step up to the plate and become a member of both and that the two groups are making progress together. Mr. Metcalf commented that they are still looking for members and having Mr. McDonald as a liaison does not count as a forum but having him serve as an alternate does. Mr. Metcalf stated that Mr. McDonald would

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abstain from voting on issues that effect WAC. It was decided that PARC would determine what Mr. McDonald could vote upon and if it conflicted with WAC.

Co-Chairman Methot moved, Selectman Fiala seconded to appoint Brian McDonald to a 1 year alternate position on PARC. Passed 4-1-0. Selectman Kurk voted no.

Mr. Jim Thompson updated the Board on the happenings of the Economic Development Committee and spoke about the recent Regional Economic Development Roundtable he attended with the Manchester Chamber of Commerce. The regional roundtable is working on the regional identity and ways to promote tourism as well as development in the region. Mr. Thompson extended an invitation to the Board and all Committee Members of the town of Weare to attend the Municipal Leadership Forum to be held on Thursday, May 12. Mr. Thompson introduced Diane Touranty from the Manchester Chamber of Commerce. Ms. Touranty told the Board she is visiting Select Boards in the region to talk about regional identity and encouraged the Board to attend the Municipal Leadership Forum. Mr. Thompson informed the Board that the Economic Development Committee was identifying commercial land that is available in town and how the development of this land will fit into the development of Weare. The Committee has also been actively contacting businesses that have shown an interest in coming to the town of Weare.

3. HAPPY WEARE-ITES FUNDING DISCUSSION – Chairman Buono stated that in the past there have been questions on where the Happy Weare-ites budget line should appear in the overall budget. Mr. Chuck Metcalf, Chairman PARC, said that this line has been back and forth and it needs to be determined where this line should appear on the budget. Mr. Metcalf stated that the budget line of \$2,500 has been previously untouchable from the PARC and if it is going to be in PARC budget then they would like to control the activities and not just expend the funds for luncheons but explore other activities. Mr. Metcalf said that the Senior barbecues were very successful in conjunction with the summer concerts. PARC does not want to cut off the luncheons but does want to spread the \$2,500 out to more activities. Selectman Osborne questioned Mr. Metcalf as to whether or not they asked any of the members of the Happy Weare-ites how they would like to expend the funds. It was stated that there are approximately 360 seniors in town and the Happy Weare-ites, which is open to anyone over the age of 60, consists of 25 members. Jim Blouin stated that they sent out surveys to as many seniors in town as they could and placed surveys at area businesses.

Ms. Dottie O'Neil stated that the reason they don't get a large response for some of the activities is that the people that belong to these groups are over 80 and don't like to go out at night or are disabled and can't take advantage of some of these activities.

Chairman Buono stated that 5 luncheons is approximately 50% of that line item. Selectman Fiala questioned whether PARC was allowed to make the decision of how to expend these funds or was it up to the Selectmen to make the decision. Mr. Metcalf questioned the Board as to whether that line item is under the control of the PARC. Chairman Buono stated that she feels that no line item is sacred and untouchable as far as budget cuts are concerned. Chairman Buono stated that the way it will be is to expend to 5 luncheons and plan other activities. It is important to keep the lines of communication open to determine what the Happy Weare-ites would like to see the funds expended for.

4. CABLE COMMISSION TECHNICAL SERVICE CONTRACTING – Chairman Buono stated that this discussion was to review some of the proposed work to be done by a member of the Cable Committee for \$4,000. Chairman Buono stated that under the purchasing agreement any work to be performed over \$2,000 needs to go out to bid. Selectman Kurk questioned where the money is coming from. It was stated at the last Cable Committee meeting that there was just under \$7,000 left in the Cable budget. Mr. John Wallace stated

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that the Committee felt that Walter Bohlin would be the best person to perform the work because he knows the system and equipment the best. Selectman Osborne responded that she voted no. Chairman Buono questioned the other Board members as to whether this should go out to bid. Mr. Will Ottery agrees that the proposed work should go out for bid. Mr. Bohlin stated that the work that needs to be done would be performed by his company, TBOH, Inc. Selectman Fiala stated that he is a big believer in local knowledge and feels that putting this out to bid would be cumbersome and feels that the Committee has the right to do this. Selectman Fiala feels that Mr. Bohlin is the person to do the job and has faith in him. Mr. Boulin gave some background into the Cable Committee stating that he was willing to volunteer to help the Committee but not willing to do all the work. Mr. Bohlin stated that some of the work could be performed by volunteers but the majority of the work requires knowledge and a technical background. Mr. Bohlin stated that it doesn't matter if the contract is awarded to him or someone else but we need to get the ball rolling. Chairman Buono stated that she doesn't want to start a trend of committee members being paid. It was discussed that they would like to have the message board be accessible from a volunteers home instead of coming in to the building. Mr. Ottery stated that the members want to work and are willing to learn how to run the committee, the problem truly is lack of knowledge and he realizes that there is a lot of technical work that needs to be done.

Selectman Fiala stated that he feels that the Committee has the authority to make the decision. Chairman Buono stated that the Board has the authority to make sure there is no conflict in the Committee. As a Board of Selectmen they need to be clear that there is no conflict. Chairman Buono stated that there needs to be more than one member of a committee that has the knowledge to operate the equipment.

Chairman Buono moved, Co-Chairman Methot seconded to obtain at least 2 other quotes to perform the work. Passed 4-1-0. Selectman Fiala voted no.

Mr. Malette stated that he feels that going out to bid is the right thing to do but feels that Mr. Bohlin needs to be paid to write up the specifications.

Mr. Wallace has concerns in the way this discussion was held and feels that the Chairman has overstepped her authority. Mr. Wallace discussed with Chairman Buono as to whether or not she felt it was okay to conduct government business via email. Chairman Buono stated that was not what she said.

5. DISCUSSION OF INSURANCE BUYOUTS – Chairman Buono stated that the insurance buyout benefit is being run through payroll because it is considered wages. The buyout was set up so that the town could benefit from employees having the option to purchase insurance elsewhere. Selectman Kurk said if the employee takes the single plan than the cost would be roughly be a difference of about \$3,000. Mr. Carl Knapp has concerns with the retirement portion of the buyout and that Department Heads have to figure out where they are going to come up with the 5% from their budgets if an employee decides to come back on the insurance plan. Chairman Buono stated that they did not receive this information in time for budget season. Chairman Buono stated that if any of the employees now decide to come back on board with insurance than it will cost the town a considerable amount of money. Selectman Kurk questioned how much an employee loses at the end of each day, Mr. Knapp stated that it is approximately 16%. Mr. Knapp stated that there are 5 buyouts out of 15 plans in his budget. It was stated that they have to make the adjustments now and revisit this for next budget season. Mr. Knapp stated the whole idea of the buyout was to allow you to choose another insurance and also saves the town money. The surprise was the retirement being taxed and that is a substantial amount. This discussion will be put on a future agenda. Chairman Buono stated that she would bring this matter up before the Benefit Review Board.

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6. ZBA APPOINTMENTS – Chairman Buono stated that they received verification from the Planning Board to appoint Deborah Brown and George Malette as alternates.

Chairman Buono moved, Selectman Kurk seconded to appoint Deborah Brown and George Malette to the Planning Board as alternates for 3 year terms as recommended. Passed 5-0-0.

Chairman Buono moved, Selectman Kurk seconded to reappoint Forrest Esenwine and Leon Methot to the Zoning Board for 3 year terms. Passed 4-0-1 Co-Chairman Methot abstained.

Chairman Buono moved, Selectman Kurk seconded to appoint David Ruoff as an alternate member of the Zoning Board for a 3 year term. Passed 5-0-0.

Chairman Buono moved, Selectman Osborne seconded to reappoint Steve Flanders as Chairman of the Cable Committee for a 3 year term. Passed 5-0-0.

7. CODE OF ETHICS – Selectman Kurk stated that the goal of the Code of Ethics Committee is to research and develop workable code of ethics for the town of Weare; to put in place a process, procedure and training, enforcing and safeguarding of the code; establish how a Committee should be elected or appointed. The adoption of the Code of Ethics will be on the warrant as well as how the Committee will be formed. Selectman Kurk stated that the first committee's purpose is to volunteer to develop the Code and propose it to the town. Selectman Kurk stated that after the Code of Ethics is accepted the Committee will then need to be elected. Co-Chairman Methot supports the idea of letting the volunteers determine the Code of Ethics and present it to the townspeople then it is up to the town to accept it or reject it. The committee would need to present their code by December 1, 2005.

6. MEETING MINUTES –

Chairman Buono moved, Co-Chairman Methot seconded, to approve the minutes of April 4, 2005 as amended. Passed 5-0-0.

Chairman Buono moved, Co-Chairman Methot seconded to approve the minutes of March 7, 2005 as amended. Passed 3-0-2. Selectman Osborne and Selectman Fiala abstained.

Chairman Buono moved, Selectman Kurk seconded to approve the minutes of March 11, 2005 as amended. Passed 5-0-0.

7. MANIFESTS

Chairman Buono moved, Selectman Kurk seconded, to authorize the Board of Selectman to sign Manifest and order the Treasurer to sign checks dated April 21, 2005. Passed 5-0-0.

Accounts payable	\$295,009.09
Gross Payrolls	<u>\$27,784.32</u>
Total	\$322,793.41

Selectman signed manifest and ordered the Treasurer to sign checks dated April 14, 2005.

Accounts Payable	\$34,338.78
Gross Payroll	<u>\$39,820.24</u>
Total	\$74,159.02

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Chairman Buono moved, Selectman Kurk seconded, to hire Susan Tuthill for the part-time position of Highway Secretary at \$11.00 an hour/30 hours per week beginning April 29, 2005. Passed 5-0-0.

Chairman Buono stated that the Board received a letter from NBAC Corporation stating that they plan on moving 50,000 cubic yards from George Moody Road which is incidental to the construction of a single family house. Chairman Buono read the Earth products ordinance stating that it shall not exceed 5,000 cubic yards to be incidental to building. Co-Chairman stated that he needs more information on the matter. It was determined that a letter needs to go to NBAC Corporation stating that more information is needed including a topography map and that this matter borders that of a gravel operation.

It was discussed that there was a request from Tim Wood to have his Current Use Penalty abated.

Chairman Buono moved, Selectman Kurk seconded to authorize \$409.50 to be spent on anti-virus software contingent upon the funds being available in the Capital Reserve Fund. Passed 5-0-0.

Co-Chairman Methot moved, Selectman Kurk seconded to allow the Chairman to sign the Police Standards and Training Form. Passed 5-0-0.

Co-Chairman Methot stated that the Planning Board recommended the opening of the stone wall under the supervision of the road agent and to be under 30 feet.

Co-Chairman Methot moved, Selectman Fiala seconded to authorize Mr. Moody making an opening in the stone wall, not to exceed 30 feet under, the supervision of the road agent on his property on Craney Hill Road. Passed 5-0-0.

Selectman Kurk stated that she received a call regarding communication and that a citizen would like to see the agenda for the BOS posted on the cable channel the Friday before the meeting.

Selectman Fiala updated the Board on the cost of the news flyer they discussed at the last meeting. Selectman Fiala stated that for \$.12 a piece, 3,285 flyers comes to a total of \$395 to send a flyer to everyone in town. It was discussed that the information in the flyer was to consist of facts and highlights from boards and items that affect a large amount of people in town. Selectman Kurk questioned where the funds will come from in the budget? The board feels that it is necessary and possibly finding the extra money in the town mailer budget line.

Selectman Fiala will keep a record of important facts to add to the newsletter.

Co-Chairman Methot spoke with Naomi Bolton regarding Gould Road and issues of heavy traffic. Mr. Knapp and Chief Begin are doing an unofficial study of Gould Road and they got a cost of \$4,000 to perform an official traffic study on Gould Road. Chairman Buono stated that as members of the Board they are planning on attending the meeting in New Boston regarding the proposed gravel pit in New Boston.

Chairman Buono moved, Co-Chairman Methot seconded, to enter into nonpublic session @ 10:20 p.m. pursuant to the authority granted in RSA 91-A:3I(c) for purpose of taking a look at the background check. A roll call vote was taken. Co-Chairman Methot - yes; Selectman Osborne - yes; Selectman Kurk - yes; Selectman Fiala - yes; Chairman Buono - yes. Passed 5-0-0.

8. ADJOURNMENT

A True Record.

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Cherry Palmisano, Recording Secretary